

TOWN OF TRURO
BOARD OF SELECTMEN
MEETING OF TUESDAY, APRIL 4, 2006

The Truro Board of Selectmen met for their weekly session on Tuesday, April 4, 2006 at 6:00 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro. In attendance were: Chairman Alfred Gaechter, Vice-Chairman Gary Palmer, Christopher R. Lucy, Town Administrator Pamela Nolan, Administrative Secretary Julie DuPree, Martha Nagy, John Thomas, David and Ann Cordon, Ron Wichowski, Jay Murphy, Trudi Brazil, Robert Pollard, Hannah Shrand, Jim Downey, Fred Schilpp, and Pru Sowers of the Banner. Lloyd F. Rose and Paul J. Asher-Best were absent.

Mr. Gaechter convened the meeting at 6:03 p.m.

Minutes: **Mr. Palmer moved to approve the minutes of the regular session of March 28, 2006 as presented. Mr. Lucy seconded it. Vote: 3-0, unanimous.**

Public Comment: none.

Condo Conversion, Seaside Village: Attorney Murphy explained that the application from A Seaside Inn On Cape Cod Bay, Inc. would reduce the number of units significantly. The parking and septic plans have been approved, and the BOH has also approved the application. **Mr. Palmer moved to approve the application and condominium covenant. Mr. Lucy seconded it. Vote: 3-0, unanimous.**

Interview: Cable Advisory Committee: Ms. Shrand has applied to fill a vacancy on the CAC. **Mr. Gaechter moved to appoint Hannah Shrand to the Cable Advisory Committee. Mr. Palmer seconded it. Vote: 3-0, unanimous.**

Public Hearing, Liquor license: David Condon has applied for a seasonal all alcoholic beverages license for 518 Shore Road. He told the BOS that he plans to serve breakfast, lunch and dinner, and his hours of operation will be 7 a.m. - 11 p.m. Mr. Wichowski spoke in support of the applicant. **Mr. Gaechter moved to approve the license for C&J At The Surf, Inc., d/b/a Beach Point Grill, David Condon, manager. Mr. Palmer seconded it. Vote: 3-0, unanimous.**

Police Department hire: Chief Thomas requested that the Board approve the conditional hire of Carrie DeAngelo. Her appointment would fill the vacancy caused by the retirement of Sgt. Meegan, and be contingent upon the successful completion of medical and physiological examinations, an agility test and the exemption of training academy from the MPTC. Her start time would be sometime in May. **Mr. Palmer moved to approve. Mr. Gaechter seconded it. Vote: 3-0, unanimous.**

Road Race: The Board has received a request from Highland Museum and Lighthouse, Inc. to hold a road race on Saturday, May 20, 2006. Chief Thomas does not foresee any major traffic problems, but requests that they be required to obtain a detail officer. **Mr. Gaechter moved to approve the request with the condition that a detail officer must be available at their expense and that a letter be sent informing them to contact Chief Thomas regarding the**

need for a detail. Mr. Palmer seconded it. Vote: 3-0, unanimous.

Request to use town beach: The Board received a request from Robert Dutra to hold his wedding reception at Corn Hill Beach on Saturday, August 26 at 1 p.m. There were concerns with this request. Chief Thomas was concerned that liquor would be served. That is not allowed on town property. Other concerns were the date and time of the event. The Beach Supervisor provided a memo in which she raised the issue of the plovers in that area. Mr. Gaechter was concerned with the request to put up a tent. He directed Ms. Nolan to contact the applicant and outline the principle objections. Chief Thomas suggested the BOS have a policy on this. Mr. Gaechter directed Ms. Nolan to prepare such a policy memorandum for their review.

Proclamation: Mr. Gaechter moved to issue a proclamation declaring April 9-15, 2006 National Telecommunicators Week in Truro and send it to the dispatchers. Mr. Palmer seconded it. Vote: 3-0, unanimous.

Article 25, Conservation bylaw: Mr. Downey gave the Board an overview of the proposed bylaw. He explained that it is not a wetlands bylaw; it doesn't just mirror the state law. Town Counsel had advised them that they should not reference a state map (endangered species map) in their bylaw because the Town has no ability to control a state map, and since this is our bylaw, we have to have control of what is in it. It will be referred to as a source of information, however. The ConsCom cannot create regulations until this bylaw is in place. Once they have the bylaw, they will hold public hearings and develop regulations. The Board agreed that they would support the bylaw in spite of their concerns. Mr. Gaechter reminded the Board that they had voted 4-0 last week to recommend the article contingent upon discussion with ConsCom, so they do not have to vote again unless a member wishes revisit it. **Mr. Gaechter moved to recommend the article. Mr. Palmer seconded it. Vote: 3-0, unanimous.**

Article 22, Wampanoag support: Mr. Tighe explained that this article has been placed on cape towns warrants requesting that the towns pass a resolution in support of federal recognition for the Wampanoag tribe. Since that was done, they have received preliminary federal recognition. The tribe will use these resolutions during the 180 public comment period to show support of their cause. Mr. Gaechter said he was concerned with the impact this recognition might have on the rest of the Cape--the potential aspects. Mr. Tighe said he could not address that; if the article passed, the Town Clerk would send a letter to the tribe, or directly to legislators saying the town supports the Wampanoag's right to federal recognition. **Mr. Gaechter moved to recommend the article with the understanding that the BOS have latitude in regard to what is in the letter. Mr. Palmer seconded it. Vote: 3-0, unanimous.**

Budget: Ms. Brazil told the BOS that she had updated the budget in case of a ratification of the AFSME union contract. At this point, \$383,006.21 is the override figure. Mr. Gaechter asked what could be done to bring it down. If free cash comes in higher, and they use more than the \$450k she has used, it would be lower. But she cautioned against using every penny of free cash. She recommended that they put back sections 2 & 3 of Article 5. That way, the BOS would have the latitude to put something away. If there is nothing to set aside, the articles can be

indefinitely postponed. Mr. Gaechter said he hoped they can lessen the override amount when the free cash figure comes in. Our override figure is larger than a lot of larger towns, and that doesn't look good. He recommended that the two sections not be put back in because they shouldn't fund the stabilization or capital improvement funds when they are going for an override. Mr. Palmer disagreed, saying that the sections should be put back in so that they have an option at town meeting. Mr. Gaechter agreed to go along with that, with the understanding that there is a fairly good chance they will be pulled.

Article 17, Chapter 90 funds: The figure has been revised and dropped by \$1k. **Mr. Gaechter moved to recommend as revised. Mr. Palmer seconded it. Vote: 3-0, unanimous.**

Election Ballot: **Mr. Palmer moved to approve questions 1, 2 and 3 in the order they appear. Mr. Gaechter seconded it. Vote: 3-0, unanimous.**

Orleans Cardinals: The BOS discussed possible dates for Truro Night at the Orleans Cardinals baseball game. They chose June 26, 29 and July 13th. Mr. Gaechter agreed (tentatively) to throw out the first pitch. The person to sing is still to be determined. Ms. Travers will coordinate the event.

Posting/filing by multi-member bodies: Ms. Nolan provided the BOS with information from the Town Clerk on which boards/committees are not posting meeting notices or filing minutes in a timely fashion. Mr. Gaechter said that PLOG members must be sworn in. He directed Ms. Nolan to have the Town Clerk have them come in. He said there was no need for minutes from them, however, since they are an inter-municipal body. He also directed her to send a letter to all the multi-member bodies regarding their responsibilities, and a more specific letter to those 15 multi-member bodies that are so far behind.

Town Administrator's Report: (no action items)

Other business: Mr. Gaechter informed the BOS that they must approve a contract between the Housing Authority and the consultant doing the needs assessment. The contract amount is in several phases and totals \$10k. Ms. Nolan informed the Board that the Housing Authority has grant money to fund this. **Mr. Palmer moved to approve. Mr. Lucy seconded it. Vote: 3-0, unanimous.**

Selectmen/Liaison Reports: (action items)

Lucy: -Remarked that he was disappointed in the budget review process. In all the years he has served as a Selectmen, they have never sat down with the departments under their overview, that is, the fire and police. He hopes they can do that next year. Mr. Gaechter agreed and said it should be made part of their review process. Mr. Lucy noted that the police department had taken delivery of a new car a few months ago. Mr. Gaechter asked Ms. Nolan to speak to the Chief about the car and see where the money to purchase it came from.

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At 8:12 p.m. Mr. Gaechter moved to convene in Executive Session under the provisions of MGL Chapter 39, Section 23B to discuss negotiations and collective bargaining and to not reconvene in Open Session. Roll Call Vote: Palmer, aye; Gaechter, aye; Lucy, aye. Vote: 3-0, unanimous.

Alfred Gaechter, Chairman

Gary Palmer, Vice-Chairman

Christopher R. Lucy

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Town of Truro